

Law Offices of Steven C. Hathaway
3811 Consolidation Avenue
Bellingham, WA 98229
T. (360) 676-0529
F. (360) 676-0067

Honorable Marc Barreca
Chapter 7

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

IN RE:) Chapter 7 Proceeding
)
JOHN FELIX CASTLEMAN, SR.) BK Internal Appeal No. 21-S006
KIMBERLY KAY CASTLEMAN,)
Debtors.) District Court Case No. 21-cv-00829-RSL
)
) Bankruptcy Case No. 19-12233- MLB
)
) APPELLANT'S DESIGNATION
) OF RECORD AND STATEMENT
) OF ISSUES ON APPEAL FROM
) BANKRUPTCY COURT
)

DESIGNATION OF RECORD

<u>DOC</u>	<u>DATE</u>	<u>DESCRIPTION OF DOCUMENT</u>
1	06/13/2019	Chapter 13 Voluntary Petition.
10	06/19/2019	Balance of Schedules.
30	09/24/2019	Amended Chapter 13 Plan.
32	09/25/2019	Order Confirming Chapter 13 Plan.
35	01/13/2020	Chapter 13 Trustee's Report of Filed Claims.
44	12/14/2020	Motion for Relief from Stay, 5857 Everson Goshen Rd, Bellingham, WA.
45	12/14/2020	Declaration in Support of Motion for Relief from Stay.
46	01/06/2021	Debtors Response to Motion for Relief from Stay.
47	01/12/2021	Debtor's Motion to Convert Case from Chapter 13 to 7.
49	01/14/2021	Stipulated ORDER for Relief from Stay Effective April 10, 2021.
53	02/05/2021	ORDER Converting Chapter 13 Case to Chapter 7.

APPELLANT'S DESIGNATION OF RECORD
AND STATEMENT OF ISSUES ON APPEAL
FROM BANKRUPTCY COURT

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<u>DOC</u>	<u>DATE</u>	<u>DESCRIPTION OF DOCUMENT</u>
61	02/22/2021	Chapter 13 Trustee's Final Report and Account.
62	02/22/2021	Post Conversion Schedules/Declaration of No Change.
72	04/20/2021	Motion for authority to value property under Section 348 (f)(1)(B).
75	05/05/2021	Debtors Response to Trustee's Motion under Section 348 (f)(1)(B).
78	05/07/2021	Reply of Trustee in Support of Section 348 (f)(1)(B) Motion.
80	05/13/2021	Discharge of Debtor.
82	06/04/2021	Memorandum Decision.
86	06/11/2021	Order on Trustee's Motion.
90	06/21/2021	Notice of Appeal and Statement of Election to District Court.
93	06/23/2021	Stipulation for Stay of Order through Completion of Appellate Process.

STATEMENT OF ISSUES

1. Does the Debtors home, which vested in them at plan confirmation, become property of the chapter 7 estate upon conversion?

2. Does property of the estate, as of the petition date, include post-petition appreciation in the Debtors home?

3. Is the present value of the Debtors home, including any appreciation between the petition date and the date of conversion, property of the chapter 7 bankruptcy estate?

Date: 06/30/2021

/s/ Steven Hathaway

Steven Hathaway, WSBA #24971
Attorney for Appellant

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Date: 06/30/2021 /s/ *Steven Hathaway*
Steven Hathaway, WSBA #24971
Attorney for Appellant

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